

By: Senator(s) Blackwell

To: Elections;  
Accountability, Efficiency,  
Transparency

SENATE BILL NO. 2388

1 AN ACT TO AMEND SECTIONS 23-15-551 AND 23-15-691, MISSISSIPPI  
2 CODE OF 1972, BY DELETING THE OPTION OF MARKING ELECTION BALLOTS  
3 WITH INDELIBLE PENCIL; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 23-15-551, Mississippi Code of 1972, is  
6 amended as follows:

7 23-15-551. On receiving his or her ballot, the voter shall  
8 go without undue delay into one (1) of the voting compartments and  
9 shall there prepare his or her ballot by marking with ink \* \* \* on  
10 the appropriate margin or place a cross (X) opposite the name of  
11 the candidate of his or her choice for each office or by writing  
12 in the name of a candidate in the blank space provided, and  
13 marking a cross (X) opposite thereto, and likewise a cross (X)  
14 opposite the answer he or she desires to give in case of an  
15 election on a constitutional amendment, local option election,  
16 referenda or any other question or matter. As an alternative  
17 method, a voter may, at his or her option, prepare a ballot by  
18 marking with ink \* \* \* in the appropriate margin or place a check,



19 in the form of and similar to a "V", opposite the name of the  
20 candidate of his or her choice for each office or by writing in  
21 the name of a candidate in the blank space provided and marking a  
22 check in the form of and similar to a "V", opposite thereto, and  
23 likewise a check, in the form of and similar to a "V", opposite  
24 the answer he or she desires to give in case of an election on a  
25 constitutional amendment, local option election, referenda or  
26 other question or matter, either of which methods of marking,  
27 whether by a cross (X) or by a check in the form of and similar to  
28 a "V", is authorized. Before leaving the voting compartment, the  
29 voter shall fold his or her ballot without displaying its  
30 markings, but so that the words "OFFICIAL BALLOT," followed by the  
31 designation of the voting precinct and the date of the election,  
32 shall be visible to the poll managers, then deposit his or her  
33 ballot directly into the ballot box. This shall be done without  
34 undue delay, and as soon as the voter has voted he or she shall  
35 promptly exit the polling place. A voter shall not be allowed to  
36 occupy a voting compartment already occupied by another voter, nor  
37 any compartment longer than ten (10) minutes, if other voters are  
38 not waiting, nor longer than five (5) minutes if other voters are  
39 waiting. A person shall not be allowed in the room in which the  
40 ballot boxes, compartments, tables and shelves are, except the  
41 officers of the election, and those appointed by them to assist  
42 therein, and those authorized by Section 23-15-577.



43           **SECTION 2.** Section 23-15-691, Mississippi Code of 1972, is  
44 amended as follows:

45           23-15-691. As soon as possible after the printing of the  
46 official absentee ballot for any election, the registrar of the  
47 county shall send to any absent voter as defined in this  
48 subarticle, who shall, upon proper application, have requested  
49 same, the official absentee voter ballot or ballots provided for  
50 in this subarticle and the instructions for voting and returning  
51 the ballot. If the ballot is sent by mail the registrar shall  
52 send a self-addressed envelope or envelopes with the ballot and  
53 the instructions.

54           If the ballot is sent by mail, the gummed flap of the  
55 envelope provided for the return of the ballot must be separated  
56 by wax paper or other appropriate protective insert from the  
57 remaining balloting material. The voting instructions shall  
58 require a notation of the facts on the back of the envelope duly  
59 signed by the voter.

60           If applicable, the instructions shall indicate that the  
61 ballot shall be marked in ink \* \* \*.

62           **SECTION 3.** This act shall take effect and be in force from  
63 and after July 1, 2022.

